

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 21 /2016

Om Prakash Gupta, S/o. Dadan Gupta, Aged About 22 Years, R/o. Ramanujganj, Police Station- Ramanujganj, Tahsil & Distt. Balrampur, Civil Distt. Sarguja & Revenue Distt. Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Chowki Vijay Nagar, Police Station Ramanujganj, Distt. Balrampur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashok Patil, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/02/2016

1. Apprehending arrest in connection with Crime No.173/2015 registered at Police Station- Ramanujganj, District Balrampur (C.G.) for the offence punishable under Sections 186, 353, 333, 323, 506-B of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 08.11.2015 the complainant Arvind Singh while was working as Forest Security Person saw that the applicant was coming with the motorcycle with the log of wood, he was intercepted and on having been intercepted, the applicant assaulted by way of a Knife to the said Arvind Singh and fled away.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and has not committed any offence and therefore he may be enlarged on anticipatory bail.
4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.

5. Perused the statement of the injured and other witnesses wherein positive evidence has been made against this applicant; therefore, taking into the way, the offence has been committed, I am not inclined to enlarge the applicant on anticipatory bail, as perusal of the case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required.
6. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge